



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

December 7, 2011

Driscoll Brother Partnership
3344 W 2200 S
Aberdeen ID 83210

RE: Notice of Change in Water Right Ownership
Water Rights: 35-7891

Dear Sir/Madam:

On March 18, 2009, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you did not include the proper filing fee (1 water right X \$100.00 filing fee = \$100.00). The ownership change only included a check for \$25.00. On April 10, 2009, November 13, 2009 and March 31, 2010 (copies enclosed as well as map of the place of use of the water right and the property purchased according to the deed provided with your application) we sent a letter requesting the additional filing fee of \$75.00 or additional evidence of ownership. The additional fee was to be provided within 30 days.

IDWR has never received a response to the request. Without the proper filing fee, we cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your money (\$25.00). The refund from the state of Idaho will arrive at the address listed below within a couple of weeks:

Idaho AgCredit FLCA
PO Box 300
American Falls ID 83211

Please feel free to re-file your ownership change at any time in the future when you have collected the proper documentation of ownership and have included the correct filing fee.

If you have any questions, please contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)

Barg, Jonie

From: Barg, Jonie
Sent: Wednesday, December 07, 2011 9:45 AM
To: Marston, Sascha
Subject: Refund Request
Attachments: E034867[1].pdf

Sascha,

Good morning!!

I have a refund request as follows:

Reciept number: E034867
Amount: \$25.00
Payable to: Idaho AgCredit FLCA
PO Box 300
American Falls ID 83211

Reason: I know there has already been a partial refund for this receipt. This was a large transaction for multiple ownership changes and security interests, I believe this is the last one Eastern was holding. Please refund the \$25.00 sent in for this ownership change. The department is returning this ownership change unprocessed. We have sent 3 deficiency letters and have not received the response required to complete the ownership change. We are returning the application unprocessed.

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov

Idaho Department of Water Resources



Legend

-  Township/Range
-  Sections
-  QQ
-  POU 35-7891
-  Driscoll Brothers Partnership

*Layout created by:
Jonie Baro April 8 2009*

DEV

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
35-7891					

RECEIVED

MAR 18 2009

2. The following **REQUIRED** information must be submitted with this form:

Department of Water Resources
 Eastern Region

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

Knudsen Peor Farms Inc

4. New Owner/Claimant(s)

Driscoll Brothers Partnership

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

3344 W 2200 S

City, State and ZIP Code

Aberdeen Idaho 83210

New Telephone Number

(208) 705-8140

Email: _____

5. Date you acquired the property _____
6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)  
 (title if applicable) _____
 (title if applicable) _____

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by Bmk
 Received by Bmk
 Processed by _____ AJ

Date 3/18/04
 Date 3/18/04
 Date _____

Receipt Amt. \$25
 Receipt No. E034867
 WR _____ Date _____

Total
Check
\$1975

WARRANTY DEED

For Value Received, **Knudsen=s Poor Farms, Inc.**, an Idaho Corporation, (AGrantor@), does hereby grant, bargain, sell and convey unto **Driscoll Brothers Partnership**, an Idaho general partnership, (AGrantee@), whose address is:

Driscoll Brothers Partnership
Attention: Dirk Driscoll
P.O. Box 37110
American Falls, ID 83211

the following described premises in Bingham County, Idaho, to-wit:

TOWNSHIP 6 SOUTH, RANGE 31 E.B.M., BINGHAM
COUNTY, IDAHO SECTION 20: E1/2SE1/4, EXCEPT STATE
HIGHWAY 39.

TOGETHER WITH all water rights including but not limited to:

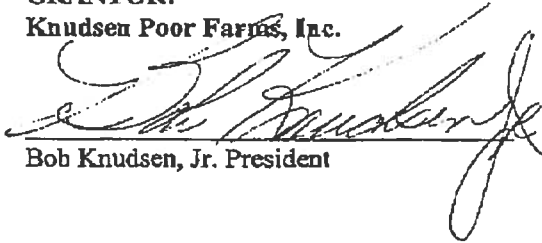
Idaho Department of Water Resources Water Right Nos. 35-7891

TO HAVE AND TO HOLD the said premises, with their appurtenances including all water, gas, oil and mineral rights, unto the said Grantee and its heirs and assigns forever. Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises, that the premises are free from all encumbrances and that it will forever warrant the title to said premises. This conveyance, however, is subject to real property taxes for 2009 and subsequent years, rights reserved in federal patents, building and use restrictions, zoning regulations and ordinances of any governmental unit, and all rights of way and easements of record and visible upon the premises.

DATED this 9 day of January, 2009.

GRANTOR:
Knudsen Poor Farms, Inc.

Date: 9 Jan 2009


Bob Knudsen, Jr. President

Instrument # 602416

BINGHAM COUNTY, IDAHO
01-14-2009 04:31:00 PM No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - BL
SARA J. STAUB Fee: 6.00
Ex-Officio Recorder Deputy KBell
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

STATE OF IDAHO)

:ss.

County of Bannock)

On this 9 day of January, 2009, before me, the undersigned, a Notary Public in and for said County and State, personally appeared **Bob Knudsen, Jr.**, known to me to be the President of the corporation that executed the within instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)

KATRINA J CUTLER
NOTARY PUBLIC
STATE OF IDAHO

KATRINA J CUTLER
NOTARY PUBLIC
STATE OF IDAHO


NOTARY PUBLIC STATE OF IDAHOResiding Idaho

at:

My

commission

expires:

7-19-2011